

ENTERED

March 13, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JANE DOE (T.S.),

Plaintiff,

VS.

SALESFORCE, INC. *et al.*,*Defendant.*§
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CIVIL ACTION NO. 4:23-cv-01729

ORDER

Pending before the Court is Defendant Salesforce, Inc.'s ("Salesforce") Motion to Dismiss. (Doc. No. 9). Plaintiff Jane Doe (T.S.)'s ("Doe") responded in opposition. (Doc. No. 15). Defendant filed a reply. (Doc. No. 16). The two primary issues in the motion were the application of the relevant statute of limitations and the application of 47 U.S.C. § 230. In its reply, Salesforce withdrew its statute of limitations argument. (Doc. No. 16 at 9). This leaves only the application of § 230 as the main issue in the motion to dismiss. This Court recently denied summary judgment in a related case, *A.B. v. Salesforce.com, Inc.* (No. 4:20-cv-01254) involving the applicability of § 230. Considering the pending appeal of that interlocutory order in the Fifth Circuit, the Court **DENIES WITHOUT PREJUDICE** Defendant Salesforce's Motion to Dismiss. (Doc. No. 9). The Court hereby **STAYS** the present action pending the resolution of the interlocutory appeal in *A.B. v. Salesforce.com, Inc.* (No. 4:20-cv-01254).

Signed at Houston, Texas, on this the 13th day of March, 2024.


Andrew S. Hanen
United States District Judge